Remarks

This is in response to the Office Action mailed on January 13, 2006. Claims 1-27 were pending in the application and rejected. With this amendment, claims 1, 11, and 20 are amended, claims 2, 12, and 21 are cancelled. No new claims are added, and the remaining claims are unchanged in the application.

Clams 1-27 were rejected under 35 U.S.C. 103(a) as being unpatentable over Weiss in view of Nishimura and/or Atkins and Clark. The Office Action states "Weiss does not explicitly teach transmitting information relating to the remotely created profile and account from a first computer to a second computer within the network, and transmitting a generated notification from the second computer to the first computer." For this feature, the Office states "it is well known in the banking industry for a bank to use more than one computer in their establishment" Also, the Office Action mentions that Nishimura discloses a similar process and that Atkins discloses a personal financial management system.

Applicants respectfully submit that the combination of Weiss with the "well known" prior art and/or Nishimura and/or Atkins does not teach the features of the amended claims. For example, in each of the cases, the profiles can be created at the network computer and not at a "first computer, remote from the network, to create a profile remotely for the customer." More specifically, the prior art of record teaches or suggests using the bank's own computer system, i.e., a branch office (official notice prior art), an ATM (Nishimura), or a manager's computer (Atkins). None of these systems teach or suggest a computer "remote from the network" because all of these systems include computers or processors that are dedicated to handling bank operations on the network.

The amended claims, however, now include the features of "the first computer is a personal computer of the customer." This feature is not shown in the prior art of record because in each case of the prior art of record the bank exerts control of the computer, not the customer. Further, the feature is not suggested in the prior art of record because the prior art does not suggest how such a system, program or method can be implemented without the bank exerting control over the computer. Because this feature is missing from the prior art references separately, it cannot be found in any combination of the prior art. Accordingly, Applicants respectfully request removal of the rejection of now pending claims 1, 3-11, 13-20, and 22-27.

Additionally, the claims were rejected under the combination of references above because the garden metaphor "does not affect the functioning of the combined teachings noted above as such does not bring patentable differences apart from the combination above." Applicants submit that the amended claims do affect the functioning and also are patentably distinguishable from the prior art of record. The amended claims now set out the "links" and purposes of the linked "web pages" in the independent claims in greater detail than before.

Applicants also submit that the amended claims are more than just "a difference of labeling." Instead, the present claims set forth "category links displayed on a website" in a more-user friendly method as applied to a customer. The functions and purposes of the "category links including growing, planting, and harvesting" set forth an easier manner of understanding the terms of art in the banking industry. The intuitiveness of the category links, once understood, provides more than just re-labeling, but re-labeling in a manner that provides a better way, such as graphical user interfaces are more than re-labeling over the old DOS.

The combination above including Clark appears to obvious only because the category links displayed on the website work as they are intended – to apply a more user-friendly or intuitive method applied to a customer. This, however, is hindsight. The proper standard for obviousness reveals that there is no suggestion from the banking art, which uses specific terms of art to describe its operations, to combine the Weiss, "well known prior art," Nishimura and/or Atkins references with art from the lawn and garden care industry, which also uses a unique set of specific terms of art.

Conclusion

All rejections having been addressed, Applicants submit that all pending claims are in condition for allowance. Applicants respectfully requests reconsideration of the rejected claims and that a Notice of Allowance be issued in this case. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at 612-607-7340.

If any fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees including fees for any extension of time, to Deposit Account No. 50-1901 (Docket 60021-369201).

Respectfully submitted,

Rudolph P. Hofmann, Reg. No. 38,187
Customer No. 29,838

OPPENHEIMER WOLFF & DONNELLY LLP
Plaza VII, Suite 3300
45 South Seventh Street
Minneapolis, MN 55402
Phone: 612-607-7340
Fax: 612-607-7100
E-mail: RHofmann@Oppenheimer.com

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